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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/774,482

02/10/2004

Karl deGroot

02-1586

8937

7590

03/19/2007

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CANADA

EXAMINER

HWANG, VICTOR KENNY

ART UNIT

PAPER NUMBER

3764

MAIL DATE

DELIVERY MODE

03/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

ED

Interview Summary	Application No. 10/774,482	Applicant(s) DEGROOT, KARL	
	Examiner Victor K. Hwang	Art Unit 3764	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Victor K. Hwang. (3) _____
 (2) Elias C. Borges. (4) _____

Date of Interview: 15 March 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Proposed claims, see attached.

Claim(s) discussed: Proposed claims A and B.


Identification of prior art discussed: Schuur (US Pat. 1,524,888), Pruchnik (US Pat. 5,871,423), Calvert (US Pat. 702,356), Papistas-Scherer (US Pat. 3,488,051).


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


Victor K. Hwang
Patent Examiner


Cary E. O'Connor
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Discussed the shear forces transmitted between the flange and the weight if the dumbbell were to be dropped. Mr. Borges' position was that the flange of the invention bore substantially all of the shear forces and that the bolts bore little of the shear forces, and that the flange of Schuur would not bear a substantial amount of any shear forces resulting from the dumbbell being dropped and that the shear forces would be borne by the shank 2.

The Examiner disagrees and contends that the flange 3 of Schuur would bear a significant portion of any shear forces resulting from the dumbbell being dropped. The shank 2 in Fig. 2 of Schuur appears to be smaller in diameter than the holes of the weight plates and so the shank 2 would bear little of the shear forces of a dropped dumbbell. The Examiner pointed out that Applicant's disclosure indicates that the inside diameter of the recess 38 is slightly greater than the outside diameter of flanges 14 so that there would be space between the rim and the recess, depending upon the tolerance in manufacturing and that the bolts would bear some of the shear forces. The Examiner indicated that proposed claim A would be unpatentable over Schuur in view of Pruchnik, or Calvert or Papistas-Scherer, and that claim B would be allowable over the art of record.



Victor K. Hwang
Patent Examiner

Part of
Interview Summary

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March 14, 2007

U.S. Patent and Trademark Office
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Alexandria, VA 22314

BY FAX 1-571-273-4976

Attention: Victor Hwang
Patent Examiner

Dear Sir:

**RE: United States Patent Application
Application No. 10/774,482
Title: Improved Dumbell
Applicant: Karl Degroot
Our File No: 02-1586**

The applicant hereby encloses two proposed claims for consideration during a telephone conference of March 13, 2007.

Best regards


Elias C. Borges

Encl.

Part of
Interview
Summary

Proposed Claims

A. A dumbbell comprising:

a handle having an elongated central portion with opposite first and second ends, and a central axis;

a first flange formed on the first end and a second flange formed on the second end, the first and second flanges having first and second peripheral edges circumferentially surrounding the first and second flanges, respectively, the first and second peripheral edges being oriented substantially perpendicular to the first and second flanges, respectively, and substantially parallel to the central axis;

a first weight having a first recess dimensioned and configured to receive the first flange, said first recess having a first internal wall circumferentially surrounding the first recess, the first peripheral edge abutting the first internal wall when the first flange is fully inserted into the first recess, the first flange and the first recess being dimensioned and configured such that first weight is substantially supported by the first edge of the flange;

a second weight having a second recess dimensioned and configured to receive the second flange, said second recess having a second internal wall circumferentially surrounding the second recess, the second peripheral edge abutting the second internal wall when the second flange is fully inserted into the second recess, the second flange and the second recess being dimensioned and configured such that second weight is substantially supported by the second edge of the flange;

the first and second flanges being bolted to the weights by a plurality of bolts passing perpendicularly through the flange and into the weights, the bolts being substantially parallel to the axis, the first and second flanges, the bolts and the first and second recesses

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being dimensioned and configured such that any shear forces created between the handle and the weights caused by dropping the dumbbell are substantially transmitted between the peripheral edges of the flanges and the internal walls of the weights and not transversely through the bolts.

B. (Based on existing claim 18) A dumbbell comprising:

a handle having an substantially cylindrical central portion having opposite first and second ends,

opposite first and second flanges formed on the first and second ends of the handle, respectively, said flanges each extending perpendicularly from the central portion, each flange having a diameter, a thickness, an outwardly facing flat surface, a peripheral edge and a rim adjacent the peripheral edge,

opposite first and second weights attached to the first and second flanges, respectively, each weight having a recess, each said recess having a diameter, a depth, an inner flat surface, and an internal rim extending peripherally around the inner flat surface, the diameter and depth of the recesses corresponding to the diameter and the thickness of the respective flange, the flat surface having an annular groove extending circumferentially around the flat surface adjacent the internal rim.

each flange being retained in the recess of its corresponding weight with the outwardly facing flat surface of each flange abutting the inner flat surface of the corresponding weight and the rim of the flange abutting the internal rim of the corresponding weight.

each flange being secured to its respective weight by a plurality of bolts positioned along the flange adjacent the flange's peripheral edge.